

House Amendment 1368

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1 1 Amend House File 560, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by striking lines 3 through 10, and
1 4 inserting the following:
1 5 <NEW SUBSECTION. 6. a. Effective July 1, 2003,
1 6 the provisions of the home and community-based
1 7 services waiver for persons with mental retardation
1 8 shall include adult day care, prevocational, and
1 9 transportation services. Transportation shall be
1 10 included as a separately payable service.
1 11 b. The department of human services shall seek
1 12 federal approval to amend the home and community-based
1 13 services waiver for persons with mental retardation to
1 14 include day habilitation services. Inclusion of day
1 15 habilitation services in the waiver shall take effect
1 16 upon receipt of federal approval and no later than
1 17 July 1, 2004.
1 18 c. The person's county of legal settlement shall
1 19 pay for the nonfederal share of the cost of services
1 20 provided under the waiver and the state shall pay for
1 21 the nonfederal share of such costs if the person does
1 22 not have a county of legal settlement.>
1 23 #2. Page 1, by inserting after line 23, the
1 24 following:
1 25 REIMBURSEMENT == REVIEW == RATE
1 26 LIMITATIONS.
1 27 1. The department of human services shall review
1 28 the reimbursement methodology for the home and
1 29 community-based services waiver for persons with
1 30 mental retardation under the medical assistance
1 31 program in relationship to the goals and objectives of
1 32 the mental health and developmental disability
1 33 services system redesign being conducted by the mental
1 34 health and developmental disabilities commission. The
1 35 department shall submit a report of the findings of
1 36 the review and recommendations to the general assembly
1 37 by July 1, 2004.
1 38 2. For the fiscal year beginning July 1, 2003, the
1 39 department of human services in cooperation with the
1 40 Iowa state association of counties and the Iowa
1 41 association of community providers shall establish
1 42 payment rate limitations for the services provided
1 43 under the home and community-based services waiver for
1 44 persons with mental retardation that are consistent
1 45 with the limitations used for the same or similar
1 46 services that are funded one hundred percent by the
1 47 counties.
1 48 Sec. _____. EMERGENCY RULES. The department of
1 49 human services shall adopt administrative rules under
1 50 section 17A.4, subsection 2, and section 17A.5,
2 1 subsection 2, paragraph "b", to implement the
2 2 provisions of this Act and the rules shall become
2 3 effective immediately upon filing or on a later
2 4 effective date specified in the rules, unless the
2 5 effective date is delayed by the administrative rules
2 6 review committee. Any rules adopted in accordance
2 7 with this section shall not take effect before the
2 8 rules are reviewed by the administrative rules review
2 9 committee. The delay authority provided to the
2 10 administrative rules review committee under section
2 11 17A.4, subsection 5, and section 17A.8, subsection 9,
2 12 shall be applicable to a delay imposed under this
2 13 section, notwithstanding a provision in those sections
2 14 making them inapplicable to section 17A.5, subsection
2 15 2, paragraph "b". Any rules adopted in accordance
2 16 with the provisions of this section shall also be
2 17 published as notice of intended action as provided in
2 18 section 17A.4.>
2 19 #3. By renumbering as necessary.
2 20 HF 560.S
2 21 pf/cc/26